

#18

PATENT
Customer Number 22,852
Attorney Docket No. 1147.0142



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

U.S. Patent No. 5,750,338
Mark L. Collins et al.

Reissue Serial No.: 09/533,906

Filed: March 8, 2000

For: TARGET AND BACKGROUND
CAPTURE METHODS WITH
AMPLIFICATION FOR
AFFINITY ASSAYS

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)
) Group Art Unit: 1655

)
) Examiner: D. Johannsen

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APR 20 2001

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

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MAR 26 2001

TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

LETTER

The undersigned would like thank Ms. Karin Tyson of the Special Program Law Office for the courtesy of a telephone conference in an attempt to clarify the content of certain papers filed with the original papers in the above-identified reissue application. Those papers were characterized as informal drawings by the Office. In fact, those papers are not drawings but rather were part of the original request for reissue.

Specifically, in support of its request, the Patent Owner filed a Consent of Assignee, Offer to Surrender Original Patent, and Statement Under 37 C.F.R. § 3.73(b). Attached to that Consent was a copy of the Assignment of Patents and Applications from Amoco Corporation to Vysis Inc. and a Schedule 1 (pages 1-18, each entitled "Vysis, Inc. - US and Foreign Patents/Applications) which listed all of the applications

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and patents being assigned to Vysis Inc. (copy attached). In light of the confidentiality of the information contained in the Schedule 1 and its irrelevance to the reissue application, the Patent Owner redacted the confidential information prior to filing it with the reissue papers. These pages are not drawings and should not be considered as such. Moreover, since these pages are part of the Assignment, the undersigned does not believe that an amendment to remove these pages from the reissue application would be proper. Thus, the Patent Owner urges the Office to retain them as part of the official file but as documents supporting the Patent Owner's initial request for reissue and not as drawings. If, after considering the above, the Office still believes that the redacted pages should be removed from the file, the undersigned hereby grants the Office the authority to remove them.

Please grant any extensions of time required to enter this response and charge any required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 23, 2001

By: Jean B. Fordis

Jean B. Fordis
Reg. No. 32,984

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1300 I STREET, N.W.
WASHINGTON, D. C. 20005
202-408-4000



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT
Attorney Docket No. 1147-0142

In re Reissue Application of:

U.S. Patent No. 5,750,338

Mark L. Collins et al.

Reissue Serial No.: Unassigned

Reissue Application Filed: Herewith

For: TARGET AND BACKGROUND
CAPTURE METHODS WITH
AMPLIFICATION FOR AFFINITY
ASSAYS

Group Art Unit: Unassigned

Examiner: Unassigned

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BOX REISSUE

Assistant Commissioner for Patents
Washington, D.C. 20231

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APR 20 2001

Sir:

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

CONSENT OF ASSIGNEE, OFFER TO SURRENDER
ORIGINAL PATENT, AND STATEMENT UNDER 37 C.F.R. § 3.73(b)

Vysis, Inc. is the Assignee of the entire right, title, and interest in U.S. Patent No. 5,750,338 by virtue of an assignment from the inventors to Amoco Corporation in a predecessor application (U.S. Serial No. 07/136,920), recorded at Reel 4843, Frame 0373, and by virtue of a subsequent Assignment of Patents and Applications from Amoco Corporation to Vysis Inc (copy attached).

Vysis, Inc. hereby consents to the accompanying application for reissue of U.S. Patent 5,750,338.

Vysis, Inc. hereby offers to surrender U.S. Patent 5,750,338 when the reissue application is otherwise in condition for allowance.

I am empowered to sign this paper on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

March 8, 2000

Date

Norval B. Galloway

Norval B. Galloway, Reg. No. 33,595

Patent Counsel

Vysis, Inc.

3100 Woodcreek Drive

Downers Grove, Illinois 60515

10/29/99 9055560

ASSIGNMENT OF PATENTS AND APPLICATIONS
TO VYSIS, INC.

Whereas, AMOCO CORPORATION, a corporation organized and existing under the laws of the State of Indiana, and having a principal place of business located at 200 East Randolph Drive, Chicago, Illinois 60601 (hereinafter referred to as "ASSIGNOR"), owns all right, title, and interest (subject to any outstanding licenses) in and to the inventions described in the United States Patents and United States Patent Applications (application claims subject to examination by the U.S. Patent and Trademark Office), set forth in Schedule 1 attached hereto.

Whereas, VYSIS, INC., a corporation organized and existing under the laws of the State of Delaware, and having a principal place of business located at 3100 Woodcreek Drive, Downers Grove, Illinois 60515 (hereinafter referred to as "ASSIGNEE") desires to obtain an assignment of the entire right, title, and interest (subject to any outstanding licenses) in and to the above-identified inventions, and in and to any Patent Applications or Letters Patent therefor in the United States and all countries foreign thereto.

1042240-9063360
Now *Therefore*, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid to ASSIGNOR, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns, and transfers to ASSIGNEE, its successors and assigns, all of the right, title, and interest of ASSIGNOR, subject to any outstanding licenses, in and to (a) the above-identified inventions, (b) the above-identified U.S. Patents and U.S. Patent Applications and all other applications for Letters Patent of the United States and countries foreign thereto for said inventions, (c) all Letters Patents which may issue from said applications in the United States and all countries foreign thereto, and (d) all divisions, continuations, reissues, re-examinations and extensions of said applications and Letters Patents; and covenants that it has the full right so to do; and hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all United States Letters Patents on said inventions to ASSIGNEE as assignee of the entire interest.

1042240-9063360
ASSIGNOR agrees to cooperate with ASSIGNEE, its successors and assigns, or their representatives or agents, to execute such other documents as may be reasonably necessary to consummate the assignment provided herein.

ASSIGNOR certifies that, to the best of its knowledge and belief, it is the owner of all right, title, and interest (subject to any outstanding licenses) in and to said inventions, patent applications, and Letters Patents, and that the undersigned is empowered to act on its behalf in this matter.

In Witness Whereof, ASSIGNOR has caused these presents to be executed in Downers Grove, Illinois by a duly authorized person, on this _____ day of _____, 1996.

AMOCO CORPORATION

By Frank Sroka
Frank Sroka

Frank J. Sroka
General Attorney

State of Illinois)
County of DuPage)

This instrument was acknowledged before me on this 27th day of September, 1996 by Frank J. Sroka as General Attorney for Amoco Corporation.

Angela F. Lummus
Notary Public

(SEAL)



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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	Docket #	Type	Army	Status	Appl. #	Filing Date	Patent #	Issue Date	Expiry Date	Title	Full Invention	Assignee
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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	DocId #	Type	App#	Filing Date	Patent #	Issue Date	Expiry Date	Title	Inventor	Assignee
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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	Doc #	Type	Atty	Status	Appl #	Filing Date	Patent #	Issue Date	Expiry Date	TITLE	1st Inventor	Assignee
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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	Doc#	Type	Atty	Status	Appl. #	Filing Date	Patent #	Issue Date	Expiry Date	TITLE	1st Invention	Assignee
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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	Doc#	Type	Atty	Status	Appl. #	Filing Date	Patent #	Issue Date	Expiry Date	TITLE	Inventor	Assignee
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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	Doclet #	Type	Atty	Status	Appl #	Filing Date	Patent #	Issue Date	Expiry Date	INTL	Int Invention	Assignee
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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	DocId #	Type	Atty.	Status	Appl. #	Filing Date	Priority #	Inventor	Expiry Date	Title	Inventor	Assignee
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VYSIS, INC.--US and FOREIGN PATENTS/APPLICATIONS

Country	DocId #	Type	Atty	Status	Appl. #	Filing Date	Priority #	Inventor	Expiry Date	TITLE	1st Inventor	Assignee
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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	Doct #	Type	Atty	Status	Appl #	Filing Date	Priority	Inventor	Expiry Date	Assignee	TITLE	Pat Invention	Assignee
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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	Doclet #	Type	App. #	Status	Appl. #	Filing Date	Patent #	Issue Date	Expiry Date	TITLE	Int Invention	Assignee
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YSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	Product #	Type	Step	Status	Appl. #	Appl. Date	Patent #	Inventor	Expiry Date	INTL	1st Inventor	Assignee
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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	Doclet #	Type	Atty.	Status	Appl. #	Filing Date	Parent #	Issue Date	Expiry Date	TITLE	1st Inventor	Assignee
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USA	25,935,11 US	CON	NBG	PROSECUTN	08/28,080	5/3/94				TRANSFER AND SUCCESSION CAPTURE METHODS WITH APPLICATION FOR APPARATUS	COLLINS, L. JAC	
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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	Doc #	Type	Atty.	Status	Appl. #	Filing Date	Patent #	Issue Date	Expiry Date	TITLE	1st Invention	Subsequent
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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	Doc#	Type	Attorney	Status	Appl. #	Filing Date	Publ. #	Publ. Date	Expiry Date	TITLE	Int. Inventor	Assignee
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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	Doc#	Type	Atty.	Status	Appl. #	Filing Date	Patent #	Issue Date	Expiry Date	TITLE	Int. Invention	Assignee
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Country	Doc #	Type	Atty.	Status	Appl. #	Filing Date	Patent #	Issue Date	Expiry Date	TITLE	Int. Number	Assignee
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VYSIS, INC.-US and FOREIGN PATENTS/APPLICATIONS

Country	Docket #	Type	Atty.	Status	Appl. #	Filing Date	Priority #	Inventor	Issue Date	Expiry Date	Title	Int. Inventor	Assignee
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